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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	<b>Application Number</b>	09/881,526	
	<b>Filing Date</b>	June 14, 2001	
	<b>First Named Inventor</b>	H. Ralph SNODGRASS	
	<b>Group Art Unit</b>	1627	
	<b>Examiner Name</b>	To Be Assigned	
<b>Total Number Of Pages In This Submission</b>	10 + 10 Refs.	<b>Attorney Docket No.</b>	441472000500

## ENCLOSURES (check all that apply)

- |   |  |   |
|---|--|---|
| <input type="checkbox"/> Fee Transmittal Form                                   | <input type="checkbox"/> Assignment Papers<br>(for an Application)                         | <input type="checkbox"/> After Allowance Communication to Group   |
| <input type="checkbox"/> Fee Attached   | <input type="checkbox"/> Drawing(s)  | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences   |
| <input type="checkbox"/> Amendment / Reply                                      | <input type="checkbox"/> Licensing-related Papers  | <input type="checkbox"/> Appeal Communication to Group<br>(Appeal Notice, Brief, Reply Brief)   |
| <input type="checkbox"/> After Final  | <input type="checkbox"/> Petition  | <input type="checkbox"/> Proprietary Information  |
| <input type="checkbox"/> Affidavits/declarations                                | <input type="checkbox"/> Petition to Convert to a Provisional Application                  | <input type="checkbox"/> Status Letter  |
| <input type="checkbox"/> Extension of Time Request                              | <input type="checkbox"/> Power of Attorney, Revocation<br>Change of Correspondence Address | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br>Form PTO-1449 (1 page in duplicate)<br>10 cited references<br>International Search Report (4 pages)<br>Return receipt postcard |
| <input type="checkbox"/> Express Abandonment Request                            | <input type="checkbox"/> Terminal Disclaimer   |   |
| <input checked="" type="checkbox"/> Information Disclosure Statement (3 pages)  | <input type="checkbox"/> Request for Refund  |   |
| <input type="checkbox"/> Certified Copy of Priority Document(s)                 | <input type="checkbox"/> CD, Number of CD(s) _____   |   |
| <input type="checkbox"/> Response to Missing Parts/<br>Incomplete Application   | Remarks  |   |
| <input type="checkbox"/> Response to Missing Parts<br>under 37 CFR 1.52 or 1.53 |  |   |

## SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

<b>Firm or Individual Name</b>	Morrison & Foerster LLP, 755 Page Mill Road, Palo Alto, CA 94304-1018
<b>Signature</b>	<i>Cara M. Coburn</i>
<b>Date</b>	February 22, 2002

## CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on February 22, 2002.

*Martina Placid*  
Martina Placid

Burden Hours Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.



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Docket No. 44143200059800/2900

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*Martina Placid*  
Martina Placid

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

H. Ralph SNODGRASS

Serial No.: 09/881,526

Filing Date: June 14, 2001

For: TOXICITY TYPING USING LIVER  
STEM CELLS

Examiner: To Be Assigned

Group Art Unit: 1627

SUPPLEMENTAL INFORMATION DISCLOSURE  
STATEMENT UNDER 37 C.F.R. § 1.97

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicant submits for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Copies of the documents are also submitted herewith. The Examiner is requested to make these documents of record.

The documents numbered 1-6 listed on the attached Form PTO-1449 were cited in Search Reports mailed on November 21, 2001 (copies attached) directed to related international applications. Please note the cited PCT publication No. WO 97/13877, the U.S. patent No. 5,576,207, and the cited articles "Exploiting Chemical Libraries, Structure, and Genomics in the Search for Kinase Inhibitors," by N.S. Gray and "Automated Array Technologies for Gene Expression Profiling," by Maier et al. were not included on form 1449 as they were both cited in a previous Information Disclosure Statement submitted for the present application.

This Information Disclosure Statement is submitted:

- ☒ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required.
- ☐ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
  - ☐ A fee is required. A check in the amount of \* is enclosed.
  - ☐ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below; accordingly, no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a check in the amount of \* is enclosed.
  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.

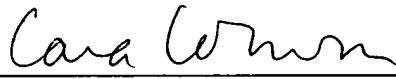
Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

The information contained in this Supplemental Information Disclosure Statement under 37 C.F.R. § 1.97 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing 441472000500. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: February 22, 2002

Respectfully submitted,

By:   
Cara M. Coburn  
Registration No. 46,631

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Form PTO-1449 <b>INFORMATION DISCLOSURE CITATION IN AN APPLICATION</b> (Use several sheets if necessary)	Docket Number 414472000500	Application Number 0988,526
	Applicant H. Ralph SNODGRASS	
	Filing Date June 14, 2001	Group Art Unit 1627
	Mailing Date February 22, 2002	

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## U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate
	1.	09/22/1998	5,811,297	Gopal			

## FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation YES NO
	2.	03/04/1999	WO 99/10535 A1	WIPO			
	3.	05/14/1999	WO 99/23254 A1	WIPO			
	4.	06/03/1999	WO 99/27090 A1	WIPO			
	5.	09/02/1999	WO 99/44062 A1	WIPO			
	6.	05/25/2000	WO 00/29002 A2,3	WIPO			

## OTHER DOCUMENTS

(including author, title, Date, Pertinent Pages, Etc.)

Examiner Initials	Ref. No.	Title
	7.	Flint, O.P. (1998). "Predicting <i>In Vivo</i> Toxicity," <i>Toxicology in Vitro</i> 12:591-595.
	8.	Matsui et al., (1992) "Derivation of Plunpotential Embryonic Stem Cells from Murine Primordial Germ Cells in Culture," <i>Department of Cell Biology</i> 70:841-847.
	9.	Seamark. (1994). "Progress and Emerging Problems in Livestock Transgenesis: a Summary Perspective," <i>Reprod. Fertil. Dev.</i> 6:653-657.
	10.	Speilmann et al. (1997). "The Ebryonic Stem Cell Test, an <i>In Vitro</i> Embryotoxicity Test Using Two Permanent Mouse Cell Lines: 3T3 Fibroblasts and Embryonic Stem Cells," <i>In Vitro Toxicology</i> 10(1):119-127.

EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.